

EDUCATION DEPARTMENT[281]**Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby gives Notice of Intended Action to amend Chapter 23, “Adult Education,” Iowa Administrative Code.

The amendment in Item 1 is needed because the state advisory council no longer exists. It was initially required by federal law, but that requirement was removed by the passage of the Workforce Investment Act of 1998, P.L. 105-220. The change in Item 2 ensures that the rule conforms to actual practice.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before January 12, 2010, by 4:30 p.m. Comments on the proposed amendments should be directed to Colleen Hunt, Bureau Chief, Bureau of Community College Services, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-0319; E-mail colleen.hunt@iowa.gov; or fax (515)281-6544.

A public hearing will be held on January 12, 2010, from 1 to 2 p.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-3125.

These amendments are intended to implement Iowa Code chapter 260C.

The following amendments are proposed.

ITEM 1. Amend rule 281—23.1(260C) as follows:

281—23.1(260C) Planning process.

23.1(1) No change.

~~**23.1(2) State advisory council.** A state advisory council shall be established for adult education as determined by the director of the department of education and shall be appointed by the director and composed of 15 members, one from each community college district representing a cross section of the population of the state. The council shall meet at regularly scheduled times. The actual cost of meals and lodging for the advisory council shall be paid by the department of education. Expenses for travel will be reimbursed at the allowable state rate. Each meeting shall be open to the public.~~

23.1(3) 23.1(2) Participatory planning committee. The department of education shall involve a participatory planning committee in the development of the plan. The participatory planning committee shall include representatives of various agencies, groups, and organizations. The state plan shall provide for the selection of representatives and the manner in which the representatives will be involved in the development of the state plan. If the participatory planning committee is not able to agree upon a final plan, the department of education shall make the final decision. The state plan shall include notation of recommendations rejected and the reason for the rejection.

ITEM 2. Amend rule 281—23.2(260C) as follows:

281—23.2(260C) Final plan. The final plan ~~after approval by all parties concerned~~ shall be approved by the state board of education and implemented statewide. A copy of the final plan shall be made available to all individuals in the state upon request to the department of education.